

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) Civil Action No. 16-10732-IT
)
\$1,995.75 IN UNITED STATES CURRENCY)
SEIZED ON MARCH 5, 2015)
)
\$30,000 IN UNITED STATES CURRENCY)
SEIZED ON MARCH 5, 2015; and)
)
\$134,430 IN UNITED STATES CURRENCY)
SEIZED ON MARCH 5, 2015,)
Defendants.)

DECLARATION OF DOREEN M. RACHAL

I, Doreen M. Rachal, make the following declaration:

1. I am an Assistant United States Attorney. I represent the Plaintiff, the United States of America, in this case. This is an action *in rem* for forfeiture of the defendant properties, described as:

- a) \$1,995.75 in United States currency, seized from Michael Bucaria on March 5, 2015;
- b) \$30,000 in United States currency, seized from Michael Bucaria on March 5, 2015; and
- c) \$134,430 in United States currency, seized from Michael Bucaria at 200 Stuart Street, Boston, Massachusetts on March 5, 2015

(collectively the “Defendant Currency”).

2. This action is governed by the procedures set forth in the Federal Rules of Civil Procedure and in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

3. As described in the Affidavit of Matthew Riportella, United States Federal Bureau

of Investigation, attached as Exhibit A to the Verified Complaint for Forfeiture *in Rem* (the “Complaint”) in this case, the Defendant Currency is subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A) because it constitutes property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 and/or 1957. The Defendant Currency is also subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), because it represents property, constituting or derived from, proceeds traceable to illegal gambling in violation of 18 U.S.C. § 1955.

4. The Complaint was filed on April 18, 2016. *See* Docket No. 1.

5. This Court issued a Warrant and Monition on July 20, 2016, directing the United States to give notice to all persons concerned that the Complaint had been filed and to arrest and retain the Defendant Currency in its custody. *See* Docket No. 3.

6. Michael Bucaria (“Bucaria”), who may have an interest in the Defendant Currency, was served with a certified copy of the Warrant and Monition and a copy of the Complaint by first class mail on August 20, 2016, at 546 Eltingville Blvd., Staten Island, New York, 10312.¹ *See* Docket No. 8.

7. Bradley Bailey, Esq., the attorney representing Bucaria, was served with a certified copy of the Warrant and Monition and a copy of the Complaint by certified mail on August 5, 2016, at his office address of 10 Winthrop Square, 4th Floor, Boston, Massachusetts, 02110, and also on August 6, 2016, at his office address of 100 West Main Street, Hyannis, Massachusetts, 02601. *See* Docket Nos. 5 and 6.

¹ Notice was initially sent via Certified Mail on August 3, 2016, However, on August 17, 2016 the was returned undeliverable. *See* Docket No. 8. Notice was sent again on August 20, 2016 via regular mail and the letter was not returned as undeliverable.

8. The Revere Hotel, which may have an interest in the Defendant Currency, was served with a certified copy of the Warrant and Monition and a copy of the Complaint by certified mail on August 6, 2016, at 200 Stuart Street, Boston, Massachusetts, 02116. *See* Docket No. 7.

9. Publication of the Complaint and Warrant and Monition was made via the government website www.forfeiture.gov for thirty consecutive calendar days beginning on November 11, 2016 and completing on December 10, 2016. The Declaration of Publication was filed on February 2, 2017. *See* Docket No. 9.

10. Under Rules G(5)(a)(ii)(A)-(B) and G(5)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, any person asserting an interest in the Defendant Currency was required to file a claim within thirty-five (35) days after direct notice was sent, or sixty (60) days after the first day of publication of notice on www.forfeiture.gov, and then was required to file an answer within twenty-one (21) days after filing their claim.

11. To date, no claims to the Defendant Currency, answers to the Complaint, or any other response pleadings have been filed, and the time for filing such claims and answers has expired.

12. To the best of my knowledge, and upon information and belief, no one with an interest in the Defendant Currency is in the military service of the United States, is an infant, or is incompetent.²

² To determine military status, the United States searched the Department of Defense Manpower Data Center using names and Social Security Numbers for Michael Bucaria, with negative results.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Executed this 3rd day of February in Boston, Massachusetts.

/s/ Doreen M. Rachal

Doreen M. Rachal
Assistant United States Attorney